

October 22, 2014

Mr. Steven T. James, House Clerk
Office of the Clerk of the House
State House, Room 145
Boston, MA 02133

Dear Mr. James:

Pursuant to the provisions of Section 33 of Chapter 30 of the General Laws, I hereby submit the attached legislative recommendation from the Public Employee Retirement Administration Commission for consideration during the 2015-2016 legislative session.

The attachments to this letter contain a summary of the proposed recommendation and the actual legislative draft incorporating the recommendation. The proposed bill is:

**1. AN ACT AUTHORIZING THE PUBLIC EMPLOYEE RETIREMENT
ADMINISTRATION COMMISSION TO HOLD HEARINGS.**

Please feel free to contact me should you have any questions about the content of this recommendation or need any additional information. Thank you for your assistance.

Sincerely,

Joseph E. Connarton
Executive Director

Attachments

JEC/keb
House Clerk's letter for 2015-2016.doc

**LEGISLATIVE RECOMMENDATION OF THE
PUBLIC EMPLOYEE RETIREMENT
ADMINISTRATION COMMISSION
2015-2016 Legislative Session**

**1. AN ACT AUTHORIZING THE PUBLIC EMPLOYEE RETIREMENT
ADMINISTRATION COMMISSION TO HOLD HEARINGS**

Section 9 of Chapter 36 of the Acts of 2012 says that, "In no event shall any member be entitled to a retirement allowance under sections 1 to 28 inclusive, which is based upon a salary that was intentionally concealed from or intentionally misreported to the commonwealth, or any political subdivision, district or authority of the commonwealth, as determined by the commission."

This bill further clarifies the Public Employee Retirement Administration Commission's (PERAC's) ability to conduct hearings and investigations related to Chapter 32, Section 15(7) and to provide guidance related to said matters.

November 7, 2014

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**An Act Authorizing the Public Employee Retirement Administration
Commission to Hold Hearings.**

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Subdivision (1) of Section 16 of chapter 32 of the General Laws, as amended by chapter 176 of the Acts of 2011, is hereby amended by adding the following paragraph:

(d) In regard to hearings mandated by Section 15(7), the commission shall conduct the hearing as described in this sub-section. For the purposes of matters arising under Section 15(7), the commission shall have the power to take evidence, subpoena witnesses, administer oaths and examine such parts of the books and records of the parties to a proceeding as relate to questions in dispute. Fees for such witnesses shall be the same as for witnesses before the courts in civil actions, and shall be paid from the operating fund of the commission.